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June 28, 2019

Ms. Kate Gordon, Director  
Office of Planning and Research  
1400 10th Street  
Sacramento, California 95814

RE: New Inglewood Basketball and Entertainment Center Project AB 987 Application  
(Clearing House Tracking No. 2018021056)

Dear Ms. Gordon:

On behalf of MSG Forum, LLC, we write in response to the Clippers' supplemental arguments regarding their AB 987 application for certification.<sup>1</sup>

The Clippers asked the Legislature for expedited judicial treatment. The Legislature responded by setting clear standards that the Air Resources Board ("ARB"), the Governor's Office of Planning and Research ("OPR"), and the Governor must find the Clippers meet to receive that special treatment.<sup>2</sup> The Clippers still have not provided adequate evidence to ARB, OPR, or the Governor to make the required findings. The application for certification under AB 987 should be denied.

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<sup>1</sup> Attached as Exhibit 1 are responses to specific contentions in the Clippers' June 12, 2019, submission. Also attached are supplemental technical memoranda from Gibson Transportation, Exhibit 2, and EcoTierra Consulting, Exhibit 3.

<sup>2</sup> We agree with the Clippers that this is not an EIR process. We agree that there will be further opportunities for the community to evaluate the project's significant environmental impacts. However, the Clippers suggestion that because the Legislature adopted AB 987 and the Governor signed AB 987 into law, the Clippers are entitled to certification is wrong. Similarly, though this is not an EIR process, there is nothing in AB 987 suggesting that the Clippers need not provide OPR and ARB with sufficient information to verify the Clippers' conclusions. The Clippers' perception ignores the role AB 987 established for ARB and OPR and suggests that the Clippers' believe OPR and ARB must rubber stamp the application. Of course, this is not the case.

The Legislature designed AB 987 to ensure real and meaningful benefits for what the Clippers call an “underserved” and “economically disadvantaged city with one of the highest percentages of minority residents in Southern California.” (Coblentz Letter, at p. 1.) Inglewood already suffers from some of the worst air quality in Southern California.<sup>3</sup> It is to this community that the Clippers want to add 3.2 million vehicle trips per year.<sup>4</sup> It is to this community that the Clippers want to add hundreds of thousands of metric tons of CO<sub>2</sub>e and related air pollutants and toxic air contaminants per year. It is to this community that the Clippers want to add over one million square feet of development without creating any new permanent high paying jobs.

The Clippers continue to “reduce” their project’s estimated greenhouse gas (“GHG”) emissions by incorrectly taking credit for the GHG emissions from existing venues that will continue to operate, and thus, continue to emit GHGs. The Clippers rely on two inherently speculative market studies as their only evidence to underreport the project’s estimated emissions.

The Clippers’ reliance on these studies is flawed given that the studies’ author disclaims in writing any ability for the results to be relied upon as predictive indicators and expressly warns ARB and OPR not to rely on their studies. As such, the studies cannot form the basis of rigorous assessments by ARB and OPR. The Clippers are asking ARB and OPR to rely on these unreliable studies to excuse them from their statutory obligation to reduce both GHG emissions to zero and to fund local measures that would otherwise reduce GHGs, air emissions, and toxic air contaminants. If ARB endorses this fallacy by certifying the AB 987 application, ARB opens the door for other project developers to follow suit.

Put in the simplest terms, to obtain this special legislation, the Clippers committed to air quality measures that they touted as the gold standard – net zero GHG emissions with at least half of the reductions coming from local, direct GHG reductions. But now, the Clippers’ application for certification under AB 987 reveals that what they are really doing is artificially accounting for and reducing only 28 percent of the total GHGs the project will generate. Under the Clippers’ methodology, their project will still emit the other 72 percent of GHG emissions (and other air contaminants) into the local community; they just will not have to mitigate them.

The basis on which the Clippers claim to reduce even the 28 percent of GHG emissions they account for is also questionable. There is no real reduction of GHGs and other air emissions for the surrounding community that the Legislature sought to protect. Quite the opposite, the community will be exposed to substantial increases in air pollutant emissions. This is far from the gold standard.

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<sup>3</sup> See Exhibit 4, Union of Concerned Scientists, Inequitable Exposure to Air Pollution from Vehicles in California (2019), February 2019, *available at* <https://www.ucsusa.org/clean-vehicles/electric-vehicles/CA-air-quality-equity> (finding that Inglewood has PM 2.5 levels more than 60% above the state average).

<sup>4</sup> The Clippers actually predict the project will generate 3.8 million trips per year. This 3.2 million figure reflects the Clippers’ assumptions regarding the TDM program’s efficacy.

In addition to the air quality improvements, AB 987 promised that the Clippers would provide permanent high paying jobs and other benefits in exchange for extraordinary judicial relief. The Clippers do not deliver on either promise.

## I. AB 987'S GHG REDUCTION REQUIREMENTS ARE NOT MET

AB 987 sets two basic requirements regarding GHG emissions: (1) "the project does not result in any net additional emission of greenhouse gases;" *and* (2) "not less than 50 percent of the greenhouse gas emissions reductions necessary to achieve [net zero GHGs] shall be from local, direct greenhouse gas emissions reduction measures." There can be no quarrel that the Clippers must meet these two requirements.

### A. The Project Is Not Net Zero GHG

The Clippers' creative accounting effort contends that the project does meet these two basic requirements. The Natural Resources Defense Council calls the Clippers' approach "absurd." Climate Resolve explains that the project "would actually increase greenhouse gas emissions and disproportionately impact Inglewood's low-income community."

As explained in our letter dated February 1, 2019, ARB and OPR should reject the Clippers' unprecedented and flawed approach to calculating a project's GHG emissions.

The Clippers state that the project will emit 568,187 metric tons of CO<sub>2</sub>e. The Clippers then state that the baseline emissions are 409,556 MTCO<sub>2</sub>e, resulting in net emissions of 158,631 MTCO<sub>2</sub>e. If ARB accepts this "baseline," it means the Clippers will have to do nothing to address the 351,450 tons of emissions that will now be concentrated in Inglewood. These "baseline" emissions will still exist, spread across the other venues from Orange County to Downtown Los Angeles, and they also now will be concentrated in Inglewood, together with their toxic air contaminants.

The Clippers argue that it is perfectly appropriate to include "market shifted" events in the baseline even though the venues from which the events will allegedly shift will continue to operate and are fully capable of hosting additional events in the future. There is no precedent or support for the Clippers' proposal. It is contrary to ARB, air district, and judicial precedent.

The Clippers present two reports prepared by market research consultants to argue that their assumptions are reasonable. Putting aside the legal infirmities with the Clippers' approach, the reports themselves state that they "should not be relied upon." Each report concludes:

We express no opinion or assurances of any kind on the achievability of any projected information contained herein and this report should not be relied upon for that purpose. Furthermore, there will be differences between projected and actual results. This is because events and circumstances frequently do not occur as expected, and those difference may be material. (Clippers' Attachment 3, Ex. 1, at p. 5; Clippers' Attachment 3, Ex. 2, at p. 7.)

The reports' authors admit that "events and circumstances frequently do not occur as expected." Despite the lack of evidence, the Clippers *increased* the number of market shifted events compared to the original submittal. This further reduced the project's emissions and the Clippers' local mitigation obligations.

Yet, the Clippers ask ARB and OPR to depart from clear rules in favor of admittedly unreliable studies for determining the scope of significant health and environmental impacts on an "underserved" and "economically disadvantaged city with one of the highest percentages of minority residents in Southern California." (Coblentz Letter, at p. 1.)

ARB and OPR should not do so. The law and precedent are clear. ARB's decisions in the 3333 California and Hollywood & Wilcox projects state that credit for baseline emissions include project elements that are demolished and removed, not merely relocated. The Clippers complain that in neither instance was a use moving from a site to the project site. This is a distinction without a difference. In 3333 California, ARB specifically *excluded* uses that would relocate (or "market shift") "as a result of the project" from the baseline. (CARB Ex. Order G-18-101, p. 7.) It is irrelevant whether the uses are moving from or to a project site.

CEQA is clear that the "physical environmental conditions in the vicinity of the project...will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." (CEQA Guideline §15125(a).) The Clippers offer no reason to depart from CEQA's clear standard. The Clippers' novel approach risks moving from a bright-line standard to one that encourages mischief at every level by every applicant and in every GHG and air emissions study.

For example, if the Clippers' economic "market shifting" approach is accepted here, there is nothing stopping an agency from accepting a "market shift" study for a ten million square foot logistics center. A sponsored study might show that the demand already exists for its services and that rather than creating new market demand, existing trucks will merely "market shift" to the new center because of its better location or better technology. Under the Clippers' approach, the new logistics center could avoid addressing millions of tons of GHG emissions. Similarly, a regional mall could commission a study to show that large portions of the mall's new tenants would merely "market shift" from other existing malls.

ARB and OPR should not discard their own clear and unambiguous precedent that ensures that credits are provided only for emissions that are truly removed and should not rely on unreliable market predictions.

B. The Project Does Not Achieve 50% Local, Direct Emission Reductions

Because the Clippers apply the wrong baseline, they do not come close to meeting AB 987's requirements that 50% of the GHG reductions come from direct, local offsets. When a proper baseline is applied, the requirement for local emission reduction is 284,590 MT CO<sub>2e</sub>. In contrast, the project's identified local reductions of 78,552 MTCO<sub>2e</sub> represent less than 15% of the project's total GHG emissions. (Attachment 3, Table 16.)

Stated differently, by applying the wrong baseline (which rests solely on admittedly unreliable market studies), the Clippers fail to reduce 206,038 MTCO<sub>2</sub>e. These GHG reductions would bring co-benefits of reduced air pollutants and toxic air contaminants. If ARB certifies the Clippers' faulty methodology, the local community will not receive the benefits it was promised under AB 987.

Further, even if, for the sake of argument, the Clippers' baseline was accepted, the required local offsets are not provided. As detailed previously, and discussed further below, the purported trip reductions from the Clippers' TDM program will not occur. The TDM assumptions, even as revised, are wildly fanciful and not supported by any evidence.

Even if it were accepted that thousands of riders would take multiple train trips and then ride a shuttle bus to the Clippers' new arena and thousands of others would take long distance buses when none do today, the TDM program still would not qualify as a "local, direct greenhouse gas emissions reduction measure" under AB 987. For a TDM program to qualify as a local, direct measure, it must "reduce single-occupancy vehicular travel **and vehicle miles traveled.**" (Pub. Resources Code, § 21168.6.8(j)(1)(A)(ii).) The Clippers have provided zero evidence that the TDM program will reduce vehicle miles traveled. ***There is no analysis of vehicle miles traveled in the Clippers' entire AB 987 application.*** The only evidence in the record about vehicle miles traveled comes from the Gibson Transportation Consulting technical memorandum submitted with our February 1, 2019 letter, which indicates that vehicle miles traveled will likely *increase* due to reduced density and access to transit as compared to the Staples Center. (February 1 MSG Comments, Exhibit 2, at pp. 13-14.)

The Clippers' supplemental application effectively confirms this by admitting that the Inglewood arena will increase private car trips as compared to Staples Center.<sup>5</sup> Therefore, neither ARB nor OPR has any basis to conclude that the TDM reduces vehicle miles traveled as required by AB 987.

C. The TDM Program Will Not Reduce Trips by 15% and Is Impossible to Verify

The Clippers understate the errors in their first TDM submittal – "a few miscalculations in the application of daily trip rates," "erroneous value," "error in application of daily trip rate." Even after the Clippers correct these errors and provide modestly more realistic (but still unreasonable) mode shares, the Clippers still predict that ***the arena project will generate approximately 3.3 million trips per year.*** This is an increase of nearly 300,000 trips over the original projections. Yet, remarkably, the Clippers predict that the TDM program will become more effective, achieving a 15.696% reduction in annual vehicle trips. This is wrong.

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<sup>5</sup> The Clippers predict that 84% of basketball and large event attendees will arrive to the Inglewood arena by private car (74% driving and 10% in Ubers/Lyfts). By comparison, 77% of attendees drive to Staples Center today and only 4% use Uber/Lyft, for a total of 81% of attendees using private car. For smaller events, the Clippers predict that 95% of all attendees will arrive by private car.

Gibson Transportation reviewed the Clippers Trip Generation Supplemental Technical Memorandum and concluded the following.

- The predicted trip numbers are impossible to verify. The Clippers' answer to criticism of their analysis is "trust us" and we will make adjustments as needed. However, Gibson Transportation confirms that it will be impossible to verify the project's annual trip generation numbers.
- The hoped-for rail transit numbers are still dramatically overstated. Every "comparable" arena or stadium is immediately adjacent to transit. The Clippers' arena is at least one mile away from the closest existing or future rail station. As was shown in our initial letter, the proposed shuttle system will not work.
- Basketball games and large concerts do not have the same transit mode split characteristics. There will be very different traffic patterns for the two types of large events. Basketball attendees are much more likely to be repeat customers and, therefore, possibly use the transit the TDM program encourages (albeit not at the inflated levels suggested by the Clippers' assumptions). Concertgoers will be first time or infrequent attendees and much less likely to use transit or the TDM program.

D. The Project Will Increase Pollution in an Already Overly Polluted Neighborhood

The real life impacts of the Clippers' erroneous assumptions and methodologies cannot be understated. Section 2168.6.8(j)(2) of the Public Resources Code mandates that "[t]o maximize public health, environmental, and employment benefits, the lead agency shall require measures that will reduce the emissions of greenhouse gases in the project area and in the neighboring communities of the arena." In Governor Brown's AB 987 signing statement, the Governor added that the Clippers' project "must reduce criteria pollutants and toxic air contaminants, a requirement that is not included in the current Environmental Leadership Development Project Standards."

The Clippers' supplemental arguments do nothing to address either concern. As noted previously, the direct, local offsets of GHGs required by AB 987 would have the important co-benefit of reducing criteria pollutants associated with the project as well. The analysis overestimates the emissions baseline, which in turn underestimates the local emissions needed to be offset. The correct analysis would indicate the project will result in increased criteria pollutants for a neighborhood that already has PM 2.5 levels more than 60% above the state average.<sup>6</sup>

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<sup>6</sup> See Union of Concerned Scientists, Inequitable Exposure to Air Pollution from Vehicles in California (2019), February 2019, available at <https://www.ucsusa.org/clean-vehicles/electric-vehicles/CA-air-quality-equity> (finding that Inglewood has PM 2.5 levels more than 60% above the state average).

Even if the Clippers' faulty GHG baseline were accepted, emission reductions in downtown Los Angeles and other event locations throughout the region simply do not mitigate local health risks or ambient air pollution in Inglewood. The Clippers acknowledge their methodology only possibly reduces emissions in "the *Los Angeles regional market*," which means these are not Inglewood-specific reductions. (Attachment 3, p. 4.) In fact, under the Clippers' theory, the emissions and pollution once spread throughout Southern California will now concentrate in Inglewood. That is devastating news to the local minority low-income residents and is a stand-alone basis for denying relief under AB 987.

Additionally, the Clippers rely almost exclusively on their TDM program to achieve what little local emission reductions they do claim. However, as noted above, this TDM program is unrealistic and will almost certainly not achieve the projected results. Even if the TDM program works, the project still adds 3.3 million trips of cars and delivery trucks to local streets that will impact sensitive receptors.

E. The Project Could Meet AB 987's GHG Reduction Standards; The Clippers Just Refuse

To be clear, we are not saying that the Clippers cannot meet AB 987's net zero GHG standards or 50% direct, local reduction obligations. All we are saying is that the way the Clippers have approached the issue is wrong. The Clippers are owned by one of the world's wealthiest individuals.<sup>7</sup> Yet the Clippers are trying to cut corners to save time and money without regard for the resulting maximum harm on neighboring residents.

There is no mystery to meeting AB 987's mandates – the statute provides a list of specific measures that constitute direct, local reduction measures. These include expanding public transit, purchasing net-zero emission transit buses, funding building retrofits, providing cool roofs and "cool parking." (Pub. Resources Code, § 21168.6.8(j).) Although this might be more expensive than the approach that the Clippers have taken, it would result in the meaningful benefits that the Legislature and Governor intended in adopting AB 987.

II. AB 987'S OTHER REQUIREMENTS ARE NOT MET

While the Clippers could spend more money to make their project net zero GHG and offset 50% of the project's GHG emissions locally and directly, they cannot overcome the fact that the project does not and cannot satisfy AB 987's other requirements.

A. The Project Is Not Consistent with the Regional Transportation Plan/Sustainable Communities Strategy

The Clippers concede that the 2016 Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS") is intended to "support sustainable growth through a more

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<sup>7</sup> See Forbes, Real Time Net Worth – Steve Ballmer, *available at* <https://www.forbes.com/profile/steve-ballmer/#76fa7f034818> (Steve Ballmer's estimated net worth is more than \$50 billion), last accessed June 23, 2019.

compact, infill and walkable development pattern by encouraging new density and intensity in High Quality Transit Areas and other infill opportunity areas that are accessible to transit.” (Coblentz Letter, at p. 7.) The Clippers’ project satisfies neither standard and on this basis alone should not be certified under AB 987.

The Clippers’ project is definitively not in a High Quality Transit Area. (See Latham Feb. 1, Letter, Exhibit 8.) The Clippers do not rebut this point.

The Clippers’ project is also not accessible to transit. The Clippers admit that no one would take the train to the arena project without the shuttle buses. (See Application, Attachment D, at p. 10.) The shuttle buses will run only during large events. At all other times, the project will be accessed by car only.

Attached are images of other arenas in California and Washington showing what a true infill project that is accessible to transit looks like. (Exhibit 5.) Each of these arenas is within 1,200 feet of a major rail stop. The Clippers project site is not. Each of these arenas is surrounded by major employment centers. The Clippers project site is not. Each of these arenas is sited within the urban core of their respective cities. The Clippers project site is not.

The Clippers admit that the project’s location stands in contrast to that of the Oakland A’s proposed site because the A’s site is “more urban, with many mixed-use neighborhoods and activity hubs within a moderate distance from the proposed site.... In contrast, the IBEC Project is located in an area where automobile travel involves more frequent use of private (household) automobiles.” (Replies, at p. 13.) Therefore, the project cannot be consistent with the RTP/SCS and cannot be certified under AB 987.

The Clippers also object to MSG’s notation of the fact that the State has concluded that the RTP/SCS does not meet ARB’s current emission target and argue that it is irrelevant. The Clippers argue AB 987 “could have said something different.” But the plain language requires that the RTP/SCS “would, if implemented, achieve the greenhouse gas emission reduction targets.” (Pub. Resources Code, § 21168.6.8(a)(D).) Since ARB has determined that the RTP/SCS would not meet the state’s GHG emission reduction targets, the Clippers’ project cannot be certified.

**B. The Clippers Have Not Shown The Project Will Achieve LEED Gold**

The Clippers’ response to the public comments regarding achieving LEED Gold status amounts to saying “trust us.” Public Resources Code Section 21168.6.8(a)(3)(A) requires that the Governor find that the project will qualify for LEED Gold certification. The Clippers completely fail to demonstrate how the project will meet the LEED Gold certification.

The Clippers must provide information that is sufficient for ARB and OPR to determine if the project will meet LEED Gold standards. The Clippers still have not done so. The level of detail provided on the project is not even close to that provided on similar AB 900 applications. For example, the Hollywood & Wilcox AB 900 application includes detailed site plans with 46 pages of drawings, elevations, and descriptions. The Hollywood Center AB 900 application



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includes 84 pages of site plans and specifications. In contrast, the Clippers have not submitted anything (no detailed site plans, no elevations, or anything else) that would give OPR and ARB the information necessary to determine—as they must for certification—the conclusion that the project, as designed, will meet LEED Gold.

This is not a requirement that sits apart from others but is integrated into one of AB 987's core requirements – reduction of GHGs. AB 987 allows the applicant to count 50% of the GHG reductions obtained via LEED Gold certification to count towards at least half of all emission reductions that must be local. However, like the TDM program that makes up the remainder of "local" emission reductions, the Clippers fail to provide the information necessary to show that the project will actually be certified LEED Gold. The Clippers do not meaningfully respond to this failure in their new submission.

C. The Clippers' Project Does Not Create Permanent, Highly Skilled Jobs That Pay High Wages

To be certified, the application must show that "the project creates high-wage, highly skilled jobs that pay prevailing wages and living wages ... [and] provides *construction jobs and permanent jobs for Californians*, and helps reduce unemployment." (Pub. Resources Code, § 21168.6.8(b)(2)(A)(i.) (emphasis added.) Neither the Clippers' original application nor the supplemental materials provide any information as to what new *high-wage, highly skilled, permanent jobs* will be created.

Because the Clippers organization is a going concern, as the application admits, it is merely moving from one office to another. There is no evidence that this move will *create* any new jobs. Even if one accepts that they are shifting the market from Staples, Forum and Honda Center, those part time jobs of concession workers, maintenance workers and security personnel already exist. These are not *high-wage, highly skilled, permanent jobs*, as required by AB 987.

We very much appreciate your attention to this matter. If you have questions, you may reach me at (213) 891-8196.

Very truly yours,



George J. Muhlsten  
of LATHAM & WATKINS LLP

cc: Mary Nichols, Chair, Air Resources Board  
Richard Corey, Executive Director, Air Resources Board  
Steven Cliff, Deputy Executive Officer, Air Resources Board

# Exhibit 1

## **Exhibit 1**

The Clippers make a number of contentions in response to the public's critique of their initial AB 987 application. Below are responses to the Clippers' most glaring errors. Given the 14-day limit for public review, we have not had time to respond to every misstatement, mischaracterization, or unsupported assumption; however, we have endeavored to identify those instances where the Clippers continue to misstate the facts and the law and to provide succinct responses to each.

### **I. THE CLIPPERS' CONTENTIONS REGARDING GHG REDUCTIONS**

The Clippers' argument regarding their greenhouse gas ("GHG") reductions boils down to asking the Air Resources Board ("ARB") and the Governor's Office of Planning and Research ("OPR") to depart from their own precedent and instead rely on market studies on which the consultants themselves instruct their readers not to rely. The Clippers' contentions in this regard should be rejected.

**Clippers' Contention:** "It is unreasonable to assume no market shift of non-NBA events (i.e., that all non-NBA events at the IBEC Project would be new to the Los Angeles area market)." (Replies, at p. 3.)

**Response:** The Clippers misconstrue the critique of their "market shift" supported baseline. The fallacy is not in the assumption that basketball games currently played at Staples Center will now be played at the Clippers' new arena. Of course they will. Rather, the Clippers' fallacy is assuming that there will not be events to take their place at Staples Center and that the non-basketball events that may move from other venues, such as Honda Center in Anaheim and the Forum, will not be replaced by other events.

The Clippers' baseline methodology "credits" or ignores the emissions from "market shifted" events on the assumption that Staples Center, the Forum, or the Honda Center will not continue to operate and do not have the ability to continue to host events. The Clippers' methodology assumes the marketing team at Staples and elsewhere will not backfill any shifted events with other events and that the 200 events the Clippers claim will be hosted at the Clippers' arena will not generate GHGs separate and apart from what other venues will generate. This is the error.

While events may shift to the Clippers' arena, assuming that the "market shifted" events are not replaced with new events with new emissions at the existing arenas is the Clippers' error.

**Clippers' Contention:** It is reasonable to rely on the Conventions Sports & Leisure reports in determining the project's baseline. (Replies, at p. 3.)

**Response:** There is absolutely no basis to rely on the Conventions Sports & Leisure reports for two reasons. First, the reports themselves state that they "express no opinion or assurances of any kind on the achievability of any projected information" and the reports "should not be relied upon for that purpose." The reports continue, "there will be differences between projected and actual results. This is because events and

circumstances frequently do not occur as expected, and those differences may be material.” Accordingly, it would be unreasonable for ARB, OPR, and the Governor to rely on these unreliable market guesses.

Second, market studies are not how ARB determines baseline conditions. Market studies assist businesses in making judgement calls about future market risks and opportunities. However, market studies are inherently uncertain and do not provide a rigorous or conservative foundation for evaluating potential environmental impacts. In contrast, standard modeling practice makes assumptions about air quality emissions based on well-tested emission factors that have been vetted by expert agencies through a public process.

**Clippers’ Contention:** The Clippers’ baseline methodology is consistent with the Bay Area AQMD’s *California Environmental Quality Act Air Quality Guidelines*. (Replies, at p. 4.)

**Response:** The Bay Area AQMD’s CEQA Guidelines do not support the Clippers’ baseline approach. The Bay Area AQMD is clear that only where existing emission sources will be removed are those existing emissions subtracted from the new proposed land uses emission levels. The Clippers are not going to remove any existing emission sources. The emission sources here are Staples Center, the Honda Center, and the Forum. These emission sources will continue to operate after the arena project is built. They will not be removed. Accordingly, these emission sources will continue to host major events and generate emissions. Under the Bay Area AQMD’s CEQA Guidelines it would not be appropriate to subtract the emissions from “market shifted” events as the Clippers have done.

**Clippers’ Contention:** ARB’s prior AB 900 determinations are “irrelevant” because they did not involve “the relocation of uses or activities from other sites.” (Replies, at p. 4.)

**Response:** Prior AB 900 determinations are not irrelevant, they just do not support the Clippers’ baseline approach because the Clippers’ baseline approach is contrary to law. As has been noted, the 3333 California Street project included shifting uses and ARB confirmed that uses that would relocate were not part of that project’s baseline.

**Clippers’ Contention:** The project’s “baseline” is consistent with ARB’s AB 900 precedent, including the Potrero Power Station, 10 South Van Ness, and 8150 Sunset Boulevard projects. (Coblentz Letter, at p. 5.)

**Response:** This is simply not true. None of those projects’ applications attempted to take credit for off-site emissions as part of their baseline because those uses were being moved to the new project. None of those projects used a market study to “support” their approach.

For example, ARB directed the Potrero Power Station application to take into account emissions that would replace the power plant that was being decommissioned as part of the project. Therefore, the project proponent could not take advantage of the huge emissions of an old power plant but instead had to reduce the baseline to account for emissions generated from power plants replacing Potrero. The Clippers ask ARB to take the opposite approach. Instead of reducing the baseline to account for the potential

increase in GHGs caused by new sources replacing the on-site emissions, the Clippers are increasing the baseline and ignoring new sources that will replace the off-site emissions.

**Clippers' Contention:** The regulations and rules MSG relies on pertain to stationary sources of air pollutants and are irrelevant to the requirement under AB 987 for the IBEC Project to achieve net zero GHG emissions. (Coblentz Letter, at p. 5.)

**Response:** The approach for calculating baseline emissions of stationary sources of air pollutants is a proper analogy for calculating baseline emissions of GHGs. The Clippers are impliedly admitting that regulators take a proper baseline approach when it comes to air pollutants because it is understood that one cannot take credit for shifting air pollution from one place to another when it is clear that new pollution will take the place of the shifted pollution. Yet the Clippers continue to claim that for GHGs, it is irrelevant what will happen when new uses take the place of the shifted activities. This is inconsistent with AB 987's goal of reducing GHG's in Inglewood to achieve the secondary benefits for reducing toxic air contaminants. It is also patently inconsistent with establish ARB positions on AB 900 applications.

**Clippers' Contention:** The IBEC Project would achieve 49.5 percent of emissions reduction through implementation of the IBEC TDM Program for the IBEC Project, or approximately 99 percent of the emission reductions from local, direct measures required by AB 987. (Coblentz Letter, at p. 6.)

**Response:** AB 987 requires that ARB find that the project is net zero for GHG emissions. The Clippers rely almost entirely on the TDM program for achieving a full one half of the GHG reductions. Since the TDM program is integral to the Clippers' net zero GHG theory, ARB and OPR must satisfy themselves first that it is actually feasible. Sophisticated traffic engineers have reviewed it and concluded that it is not. See below for more analysis regarding why the TDM program is not feasible.

## II. THE CLIPPERS' CONTENTIONS REGARDING THEIR TDM PROGRAM

The Clippers want ARB and OPR to believe that siting an arena in a suburban neighborhood like Inglewood is the same as siting an arena in a downtown core close to transit. This contention forms the basis of their TDM program assumptions that continue to be unreasonable. Beyond the unsupported assumptions, the Clippers do not provide the data to allow ARB and OPR to verify their calculations and conclusions. A "black box" analysis, which cannot be replicated, cannot be the basis of an agency determination. If so, every developer will submit a black box analysis and request based on the Clippers' precedent for OPR and ARB to trust it even though there is no way to replicate the results.

**Clippers' Contention:** Travel patterns for Clippers' basketball games and large one-off events would be the same because the attendance levels are similar. (Replies, at p. 12.)

**Response:** This "dumbing down" of the analysis is indicative of the Clippers' entire approach. Just because a basketball game and a large concert may have similar attendance numbers does not mean that the attendees will have the same travel patterns. Basketball game attendees are much more likely to be repeat customers and therefore

possibly use transit and the TDM Program (albeit not at the inflated levels suggested in the IBEC assumptions). Concert goers will be first-time or infrequent attendees and much less likely to use transit or TDM. (Gibson Memo, at p. 6.)

**Clippers' Contention:** Double trips from Uber/Lyft rides were not underestimated. (Replies, at p. 13.)

**Response:** The Clippers do not provide enough information to verify this claim. The application shows the end results of the calculations but does not show their work. It is a black box. And it is clear, that Uber/Lyft use, does increase traffic generation. (See MSG February 1, 2019 Comment Letter, EXHIBIT 2, Attachment A.)

**Clippers' Contention:** The project's TDM program does not actively encourage Uber/Lyft rides. (Replies, at p. 13)

**Response:** This is not correct. Their own application states otherwise. The TDM program encourages carpooling in Uber/Lyft: "An additional incentive has been added to TDM 3 – Encourage Carpools and Zero Emission Vehicles...." The specific added text states: "Provide incentives for ... discounted rides (or other, similar benefits) for those sharing transportation network company (TNC) rides to or from the event." (Attachment 1, at p. 1.) Additionally, the project is setting aside over 150 parking spaces for ride share companies to use for pick-ups and drop-offs. (Application, Attachment C, at p. 4.)

**Clippers' Contention:** Because a "substantial number of ticketholders" are "within a two-transfer ride to/from the IBEC site...an appreciable transit mode share is reasonably achievable from the IBEC Project." (Replies, at p. 14.)

**Response:** This contention is based on the ticketholders' home location. Most attendees do not come from home but from work, so home location is less relevant. The standard trip for a transit rider to an arena event with two transfers likely looks something like this:

1. Arrive at train station one by transit, car, or foot.
2. Travel on Train #1 and transfer to Train #2.
3. Travel on Train #2 to Inglewood train station.
4. Shuttle bus from Inglewood train station to arena.

This four-leg ride will need to be repeated after an event, for a total of eight independent travel legs. Add into this the fact that the shuttles may take 30 minutes and the entire trip to the arena will take hours. Even if the Clippers' shuttle bus time estimates were accepted (7-21 minutes), visitors are looking at an over one hour return trip at night when a car would likely take less than half that time at most. As attendees value convenience

over all else and the Clippers’ “two-transfer ride”<sup>1</sup> presents a most inconvenient option for attendees, the Clippers’ assumption that 7% of attendees will take the train is not reasonable. (Gibson Memo, at p. 7.)

**Clippers’ Contention:** Transit usage assumption of 7% rail and 1% bus is reasonable because it is lower than the current rate at Staples Center (9% total). (Replies, at p. 14.)

**Response:** This is not a reasonable assumption. First, the Clippers do not provide a breakdown of that 9% transit mode share for Staples Center. Therefore, it is hard to compare to the Clippers’ assumptions for the project. Second, just because the Clippers lowered the assumed transit mode share from one unsupported number to another unsupported number does not make the result reasonable. Convenience, not incentives drive use.<sup>2</sup> It is not more convenient to reach the proposed arena in Inglewood than Staples Center where multiple train stations are within walking distance.

**Clippers’ Contention:** Gibson Transportation data collection that concluded that less than 2.6% used rail transit is not reliable because it did not also survey a train station located approximately ¾ mile from the arena and only surveyed station immediately adjacent to Staples Center. (Replies, at p. 15.)

**Response:** The Clippers assume that 0% of attendees would take the rail to the new arena without the shuttle coach program because the closest rail stop is .8 miles away. (Application, Attachment D, at p. 10.) However, the Clippers simultaneously argue that some large number of attendees take the train to a stop .75 miles away from the Staples Center. Even assuming for argument sake that the same number of people got off at a station much farther away from Staples, that would mean that about 5% of current Clippers’ games attendees arrive by train. That is still less than the Clippers assume will take the train to a far less accessible location in Inglewood. Additionally, the Clippers’ survey showed AECOM’s original assumptions were wrong. Per the Clippers’ survey only 9% of attendees used public transit at Staples Center—less than the 13% stated in the Clippers’ first application.

**Clippers’ Contention:** Because the Rams assumed 10% public transit ridership (train and bus) for the under construction NFL stadium at Hollywood Park, the Clippers’ 8% transit (train and bus) ridership assumption is reasonable. (Replies, at pp. 15-16.)

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<sup>1</sup> It is unclear what the Clippers mean by a “two-transfer ride.” It could suggest three trains, meaning transfer from Train #1 to Train #2 (transfer one) and then transfer from Train #2 to Train #3 (transfer two). If this is what the Clippers mean, then another trip leg must be assumed. Adding a fifth leg would lead to even more inconvenience for riders and a further erosion of the Clippers’ predicted transit mode share.

<sup>2</sup> See Exhibit 6, Laura J. Nelson, *L.A. is hemorrhaging bus riders — worsening traffic and hurting climate goals*, Los Angeles Times (June 27, 2019) [“Dropping ridership follows years of complaints about bus routes that are rarely as fast or reliable as driving and often require long waits, multiple transfers and delays in rush-hour traffic.”].

**Response:** The Clippers contend that an 8% transit share (train and bus) is reasonable because that “matches the assumptions for a stadium event at the future LA Stadium at Hollywood Park.” The Rams’ LA Stadium at Hollywood Park did not go through AB 900 or a CEQA process and has not been verified by independent experts. It was approved by initiative. Therefore, justifying the Clippers’ train ridership projections by citing to an unopened stadium whose reports were not tested through ARB or through a CEQA process as a justification for the Clippers’ own inflated assumptions is not reasonable.

**Clippers’ Contention:** If it’s reasonable that 10-14% of attendees will use rail to get to the game if the stop is next door via the Inglewood Transit Connector, it’s reasonable that 10% will still use transit if they can take a free shuttle from another stop even if it is up to two miles away. (Replies, at pp. 16-17.)

**Response:** The Clippers argue that shuttles from the rail stations more than a mile away will be as convenient as taking the train to the doorstep of the arena. This is unreasonable on its face. The shuttle will involve leaving the transit system, waiting for a bus, boarding a bus, sitting on the bus in heavy traffic for a two-mile trip, all before getting to the arena. Any reasonable person would prefer to take the train to the arena’s doorstep.

**Clippers’ Contention:** AirBART is a reasonable comparison for the proposed IBEC transit-rail shuttles. (Replies, at p. 17.)

**Response:** By the Clippers’ own admission, AirBART served 1,900 riders per day (5:00am-12:00am). By comparison, the Clippers assert that the project’s shuttles would carry almost 70% of that total (close to 1,300 people) in the 2.5 hours before games and concerts and immediately upon their completion. While a shuttle program carrying 1,900 riders over a 19-hour period may be achievable, the Clippers have not shown the same to be the case for their proposed shuttle program, which would run for approximately 10% of the time as AirBART but is predicted to carry 70% of the people. This is not a reasonable comparison.

**Clippers’ Contention:** Levi’s Stadium in Santa Clara and the LA Memorial Coliseum higher transit mode share indicates that the assumptions regarding the Clippers’ project’s transit mode share is reasonable. (Replies, at p. 18.)

**Response:** This is yet another example of comparing apples to oranges. The L.A. Coliseum and Levi Stadium both have rail stations immediately adjacent to the venues and both have limited and expensive parking. The scenarios are not comparable. And the Clippers have not provided any information as to the number of parking spaces or their pricing.

**Clippers’ Contention:** The TDM program’s other components such as carpooling, active transportation (walking/biking), and long-distance park-and-ride bus service will effectively reduce private car use. (Replies, at p. 19.)



**Response:** The Clippers predict that no attendees will walk or bike to the arena for events and only one percent of employees will walk or bike. (See Table 5, Trip Gen Supp Mem., at p. 8.) The Clippers’ assumptions regarding carpooling have not been explained and are likely to be inflated because for carpooling to work, the carpoolers must “match-up” perfectly. Additionally, the park-and-ride sites must be secured and the assumed ridership must be attracted—something the Clippers assume they will readily be able to achieve at levels not otherwise seen by other arenas. (Replies, at p. 23, fn. 9.)

**Clippers’ Contention:** The project’s train shuttle service will be effective because traffic control measures will reduce congestion and improve traffic flow during events. (Replies, at p. 20.)

**Response:** Gibson Transportation predicts that the shuttle service will take between 30 minutes and 60 minutes to complete one trip. To address this, the Clippers offer the possibility of creating “transit-only lanes.” A transit-only lane would mean closing a third of the travel lanes for 7% of the attendees, while 84% arriving by car would now have 33% fewer lanes to use. (Not to mention cars traveling to other venues in the area – the NFL stadium, the Hollywood Park mixed-use development, and the Forum.) This would cause gridlock on Inglewood streets. The result would be thousands of cars emitting thousands of pounds of additional exhaust in the neighborhood while they sit in traffic.

**Clippers’ Contention:** A charter coach park-n-ride program can be successful and the 11% mode share is reasonable when compared to the Hollywood Bowl, which has achieved up to 35% charter coach mode share.

**Response:** The Clippers currently do not have a charter bus program. Zero attendees to Staples come by charter bus. Moreover, Hollywood Bowl, a venue with an extensive history of attendees arriving by bus, is not currently achieving 35% charter coach mode share. First, the charter coach system is only offered during season ticket events with repeat patrons. During “lease events” (one-off concerts), the park-and-ride demand is so low that the charter bus service is not even offered. Second, recent studies show that the Hollywood Bowl achieves only between 20-27% ridership on charter coaches on nights with events that are heavily oriented toward season ticket holders. Finally, the Hollywood Bowl is not an appropriate comparison because parking at the bowl is “extremely limited,” thus necessitating a large number of attendees’ use of the park-n-ride program. (Getting Here, Hollywood Bowl, *available at* <https://www.hollywoodbowl.com/plan-your-visit/getting-here/>.) The Clippers have failed to advise ARB or OPR on what their parking plans are.

**Clippers’ Contention:** Annual reporting will confirm that TDM program is reducing trips by 15%. (Replies, at p. 23.)

**Response:** Gibson Transportation confirms that annual traffic monitoring for this site and its ancillary components would be impossible to track. (Gibson Memo, at p. 4.) The Clippers’ calculations are annualized. This means that the Clippers would have to monitor trips every day of the year for every project attendee. This would be for every

patient to the medical clinic, every restaurant attendee, every concertgoer, etc. Unless every project attendee is surveyed, this type of reporting is not possible. The Clippers could count the attendees entering garages under their direct control, but this would not account for attendees parking elsewhere.

**Clippers' Contention:** The mode share percentages (i.e., how people will get to the arena project) are "conservative." (Supp. Trip Gen. Memo., at p. 7.)

**Response:** The Clippers' mode share predictions continues to be unsupported by the evidence. One only need to compare the predictions for the project to Staples Center to see that the numbers are not supported. Per the Clippers, only 9% of Clippers games attendees currently use transit (which is not consistent with the empirical evidence presented). The Clippers admit that the proposed arena is not proximate to transit (Replies, at p. 13), yet predict that essentially the same number of attendees will use transit to get to the arena for basketball games and concerts as to Staples Center. The Clippers' mode split assumptions are not "conservative," they are reckless. These assumptions and the failed TDM program will result in millions of car trips per year being added to Inglewood's streets with no effective way to address the emissions that they will create.

Notably, the Clippers' revised mode share splits predict that 84% of attendees will arrive by private car (74% driving personal cars and 10% in Uber/Lyft). This is an 8% increase as compared to the Clippers' original projections. Yet, somehow, the Clippers' TDM program has become more effective since their original application at reducing the overall number of trips. Under the original prediction, trips would be reduced by 15.151% and under the revised predictions, trips would be reduced by 15.696%. How is this possible? How is it possible that effectively the same TDM program results in a higher reduction in the number of trips when the number of attendees using alternative modes of transportation has decreased? This makes no sense. The Clippers do not explain how they have arrived at the results and expert traffic engineers are unable to duplicate them.

**Clippers' Contention:** The City will verify the trip reduction predictions, so ARB and OPR do not need to be satisfied with the Clippers' assumptions. (Coblentz Letter, at p. 6.)

**Response:** While Inglewood is obligated to require the vehicle trip reductions be maintained, it will be impossible to do so. The trips are annualized, meaning the Clippers show them on a yearly basis. Since trips are provided on an annual basis, monitoring them will require monitoring for 365 days per year. It will also require monitoring every potential parking spot surrounding the project. This is also not possible. Gibson Transportation confirms that "Annual traffic monitoring for this site and its ancillary components would be impossible to track because the only calculations presented are a summary of annual trip generation." (Gibson Memo, at p. 3.)

### III. THE CLIPPERS' CONTENTIONS REGARDING THE AMOUNT OF DATA PROVIDED

The Clippers claim that there is enough data provided for ARB and OPR to certify the project under AB 987. To the contrary, there is just no way to evaluate the majority of the Clippers' claims because they use black box accounting that seems to begin with the result they want and then makes up the inputs to justify the outcomes. With this result oriented approach, ARB and OPR cannot certify the application based on the provided information.

**Clippers' Contention:** Parking will meet Inglewood Municipal Code standards, so parking space numbers do not need to be provided. (Replies, at p. 22.)

**Response:** Unlike the Oakland A's, the Clippers do not propose limiting the amount of parking available to discourage driving and encourage transit use. The Oakland A's Traffic Management Program includes reducing the number of on-site parking spaces from 6,800 to 3,500. The Clippers are not offering to do the same, likely because it is obvious that the project is too far from transit for attendees not to drive personal cars and use Uber/Lyft. Given the anticipated heavy reliance on private vehicles, there is too much money to be made charging GHG-emitting cars to park at the arena. In fact, the Clippers have not provided any meaningful information as to their parking program. Notably, a change in the assumption of available parking changed the mode splits. This makes clear that the number of parking spaces provided is consequential to the analysis and ARB and OPR need this information to gauge the accuracy of the Clippers' conclusions.

**Clippers' Contention:** The specifics of the LEED Gold strategy will continue to be developed over the course of the design process. (Replies, at pp. 24-25.)

**Response:** The Clippers are asking ARB and OPR to trust that they will figure out the details of how they plan to comply with AB 987 later. Achieving LEED Gold is a key part of the AB 987's intent of reducing local emissions. The Clippers fail to provide a detailed LEED Gold checklist and evidence to support the Clippers' contention they can meet LEED Gold standards. Instead of taking the time to explain properly how the Clippers plan to achieve LEED Gold, the Clippers kick the can down the road. This is not sufficient for certification under AB 987 and ARB and OPR need more information to conclude that the project will actually achieve LEED Gold.

**Clippers' Contention:** MSG demands a higher level of information than the Clippers need to provide to ARB and OPR. (Coblentz Letter, at p. 3.)

**Response:** Information sufficient for ARB and OPR to determine whether the Clippers' conclusions are reasonable and supported by evidence must be provided. The Clippers still have not done so. The level of detail provided on the project is not consistent with the level of detail provided on similar AB 900 applications.

For example the Hollywood & Wilcox AB 900 application includes detailed site plans with 46 pages of drawings, elevations, and descriptions. The Hollywood Center AB 900 application includes 84 pages of site plans and specifications. The Clippers have failed to provide to ARB and OPR any information as to the site, parking, elevations, etc. Nothing.

In comparison, a key factor to determining whether the TDM program is supportable is the number of parking spaces. The Clippers do not even provide that figure, instead merely stating that the project will be parked consistent with the Inglewood Municipal Code. What does that mean? Will the exact number of required spaces be provided or will more than the required numbers be provided? The Clippers do not say. The Oakland Athletics recognize that limiting the number of parking spaces will discourage driving and reduce trips. The Oakland A's Traffic Management Program includes reducing the number of on-site parking spaces from 6,800 to 3,500. The Clippers could have proposed a significant reduction in the number of parking spaces. They have not. We can only assume it is because the Clippers know that the project will require large number of parking spaces.

**Clippers' Contention:** MSG is merely trying to "exhaust the City's resources." (Coblentz Letter, at p. 3.)

**Response:** This argument is a red herring and, frankly, irrelevant. The City is not paying for this effort. Mr. Ballmer, whose net worth is projected at \$50.9 billion, is funding this effort as required by the ENA executed by Mr. Ballmer's company. The Clippers' discounting of the legitimate and serious concerns community members, NRDC, and Climate Resolve have raised regarding the project's climate change and environmental health impacts shows their true feelings for a community and neighborhood that is literally fighting for its life. MSG has a valid interest in the traffic and air quality conditions around its business and has always been very clear regarding its interests. The Clippers' *ad hominem* attack is an attempt to distract from the Clippers' failure to meet AB 987's clear standards.

# Exhibit 2



June 27, 2019

MSG Forum, LLC  
3900 W. Manchester Blvd.  
Inglewood, CA 90305

**RE: REVIEW OF SUPPLEMENTAL MATERIALS AND RESPONSES FOR THE  
INGLEWOOD BASKETBALL AND ENTERTAINMENT CENTER (IBEC)  
INGLEWOOD, CALIFORNIA** **Ref: J1691**

Dear MSG Forum, LLC:

Gibson Transportation Consulting, Inc. reviewed the responses to comments on the proposed 18,000-20,000-seat arena/entertainment center and 125,000 square feet (sf) of commercial office and retail development in Inglewood, California ("IBEC" or "Project"). The responses were prepared by AECOM, the authors of the original transportation analysis prepared for the arena. The arena, proposed for the southeast corner of Century Boulevard & Prairie Avenue, will accommodate home games for the National Basketball Association's Los Angeles Clippers as well as large concert and other events.

We reviewed two documents ("Supplemental Materials") in the preparation of this summary letter:

*Supplemental Submittal re: AB 987 Application for the Inglewood Basketball and Entertainment Center (IBEC), (AECOM, June 12, 2019), and*

*AB 987 Replies to Correspondence, (AECOM, June 2019)*

After a review of these documents we still have several serious concerns with the assumptions and lack of documentation presented in the analysis. Our primary concerns are as follows.

- A. Analysis and assumptions are performed inside a "black box," meaning that we are not able to replicate the conclusions with the information provided
- B. The Supplemental Materials absorb an additional 338,000 trips per year, and yet, somehow the analysis results in the same transportation demand management ("TDM") program are performing more effectively than before
- C. All of the precedents/venues used to justify the assumptions are inappropriate
- D. Basketball games do not have the same travel patterns as concerts
- E. The Supplemental Materials Include contradictory or incorrect information
- F. Vehicle Miles Traveled (VMT) is not discussed or analyzed

These concerns are discussed in more detail below.

#### **A. ANALYSIS AND ASSUMPTIONS ARE PERFORMED INSIDE A “BLACK BOX”**

It is industry practice to include calculation tables with formulas and list assumptions in reports of the type presented here. Without such information, the results presented in the report cannot be replicated. This is a black box analysis with no opportunity for the decision-maker to follow how the Clippers achieved the calculations' results.

- The calculations are performed in a black box with the final results shown in a single table. In engineering practice, it is important to “show the work” and not make faith-based conclusions that cannot be followed by a decision-maker.
- The Supplemental Materials need to provide tables that display the calculations and assumptions, including pass-by, internal capture, and average vehicle ridership (“AVR”) application, so that the assumptions and calculations can be compared to empirical data.
- For example, there is no documentation of the number of weekday or weekend basketball games or major/minor concerts assumed as part of the calculation of the trip totals. This data is needed because the trip generation tables make conclusions based on these types of specific assumptions. No one can replicate the calculations without the assumptions regarding the number and types of events included in the calculations. It is impossible to replicate the calculations without this data.

As a result of the analysis being presented in summary fashion, it is virtually impossible for any decision-maker or analyst to follow the calculations or check the validity of the assumptions and conclusions.

#### **B. THE SUPPLEMENTAL MATERIALS ABSORB (I.E., ADD) AN ADDITIONAL 338,000 TRIPS PER YEAR AND YET, SOMEHOW RESULT IN AN IMPROVED TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM**

Even though the corrections made in the Supplemental Materials increased overall traffic by 338,000 trips per year, decreased the reliance on some TDM strategies, and incentivized rideshare programs (which increase traffic but are applied as a mode-share), the conclusions show an improved percentage of effectiveness of the TDM program. It is unclear how this can be. Many of the TDM strategies require “trust” to reach those goals and proving them through monitoring would be impossible. Additionally, the entire analysis relies on assumed shuttle/transit goals that are far too unrealistic to ever be met.

##### **B1. Increase in Overall Trips**

The corrections made as part of the Supplemental Materials had the following effects.

- Overall trips went up by 10% (338,000 more annual trips)
- Average vehicle ridership went down (fewer people in each vehicle)
- Percentage of self-drivers went up by 10% (more single drivers)
- Percentage of alternative modes of travel went down by 10% (fewer transit riders)
- The TDM program was modified to incentivize rideshares (Transportation Network Companies [“TNCs”]), which would actually increase total trips



The result is that the TDM program achieves a 15.6% decrease (and even improved-on TDM percentage) in total trips on an annualized basis. However, the Supplemental Materials do not provide the reviewer with a sufficient basis to understand how the additional 338,000 trips can be managed inside the same TDM program that was presented previously and no calculations are shown to document the improved TDM effectiveness values.

As disclosed in the trip generation section of the Supplemental Materials, Table 7 of Attachment 2 shows 338,000 more annual trips than reported in the original application. Once the trip generation errors and inconsistencies pointed out in our original comment letter were corrected, 338,000 additional annual trips appear and the number of trips generated by the IBEC increased from 3.5 million annual trips to 3.84 million annual trips.

While the trip reduction “answer” of a 15% reduction in trips remains virtually unchanged, the Supplemental Materials ignore the fact that the increased number of trips would have a direct effect on the TDM plan strategies, such as increased demand for carpools, rideshare, rail stations, off-site shuttle systems, and park-n-ride facilities. It is simply assumed that the same TDM program will accommodate the additional 338,000 trips.

The Supplemental Materials fail to address how the additional 338,000 annual trips will be incorporated into the various TDM strategies, except by claiming that they will be successful through a tabular comparison.

## **B2. TDM Program Requires Trust to Reach Goals**

The aggressive and totally unproven TDM program is based on a series of assumptions that have not been explained or shown to be achievable targets. In order to meet the goals, the following strategies must be precise.

- Shuttles must meet both estimated demand and schedule
- Rail passengers must meet assumed aggressive percentages
- Carpoolers must match-up perfectly
- Park-and-ride sites must be leased/built and the assumed ridership must be attracted

Reliance on these goals demonstrate the fragility of the TDM program. Missing any of these targets by minor percentages would cause the plan to fall below the 15% threshold.

The Supplemental Materials cannot demonstrate that shuttles will be fully occupied for all trips, be able to meet schedules and arrive to venues on time without suffering ridership loss. No descriptions or identifications are provided for park-and-ride facilities that would lead a reviewer to believe that charter buses would be full and operate according to schedule.

The Clippers takes a 10% transit mode share which is only achieved through the TDM program, but then states that a higher mode share will be achieved through implementation of TDM measures (page 19). This is a circular argument. Data used to determine rail ridership is not comparable for the infrastructure components surrounding the facility that might otherwise be available at the venues cited.



### **B3. Annual Traffic Monitoring Is Impossible**

- The Clippers and AB 987 rely on the ability to monitor trips to prove the estimated 15% reduction
- Annual traffic monitoring for this site and its ancillary components would be impossible to track

Undertaking a data collection effort that requires accuracy across 365 days/24 hours per day at every entry/exit to each facility/component, including off-site parking areas or rideshare drop-offs beyond indicated zones, to capture each trip coming and going cannot be performed in any precise manner that could then be used to justify the TDM program's effectiveness. No discussion is provided on the methodology or mechanics of delivering such an accurate count to prove that trips are 15% less than "without TDM," which is the entire goal and purpose of the AB 987 reduction target.

### **B4. Shuttle System Suggests Travel Times and Objectives That Are Unrealistic**

- The Supplemental Submittal asserts "...given the relatively short distances (approx. 1-2 miles) and approximate travel times (on the order of 8-10 minutes), it is reasonable to expect that a high-quality shuttle/bus service could function similar to a fully grade-separated fixed-route service – such as the automated people mover proposed by the Envision Inglewood Transit Connector – in terms of attracting ridership among IBEC attendees." (page 17) This statement is not rooted in any infrastructure reality.
- To simulate that "fully grade-separated" service, a dedicated lane (transit-only) would be required, at minimum, which results in a reduction of 33% of commuter road capacity to serve 7% of its customers. No analysis has been provided to demonstrate the detrimental effects that taking over a full lane of capacity would have on the traffic commute.
- The Supplemental Materials cite Oakland International Airport and AirBart as examples of demand services for comparison. However, this program serviced 1,900 persons per day, while the IBEC requires transporting 1,850 passengers (page 17) in the two hours leading up to the event and a similar demand window after the event. This represents an exponential demand not comparable to AirBart.

The objectives of the shuttle services, which are heavily relied upon in the Supplemental Materials, use these types of "fantasy" assumptions to placate the reviewer that everything will operate effectively, even without providing any analysis nor considering any other traffic on the street system. The Project, even with City of Inglewood support, has no control over the travel time objectives, nor the ability to travel freely on an existing street network where commuters are currently congesting the streets even without at an event at any of the new venues.

**C. ALL OF THE PRECEDENTS/VENUES USED TO JUSTIFY ASSUMPTIONS ARE INAPPROPRIATE**

The Supplemental Materials utilize other venues across the State of California to justify the TDM program's assumptions even in cases where such comparisons are not valid. This is particularly the case in terms of transit proximity, surrounding land use densities, and requirements for secondary shuttle systems that increase travel time and degrade patron experience.

The following examples are cited precedents in the Supplemental Materials which should not be used for the IBEC facility.

- STAPLES Center is not comparable to the IBEC. STAPLES Center has transit at its front door. Despite this fact, the Supplemental Materials continue to use essentially the same rail split as STAPLES Center. A two-ride transit trip with a shuttle trip at the end is not an accurate comparison to STAPLES Center, which is at the center of the region's rail transit system and has a rail station a short walk from its entrance. The statement that STAPLES Center "generally has more proximate transit" is a gross understatement. Therefore, the assumption of 10% rail for IBEC concerts and sporting events versus 11% or 12% for STAPLES Center sports events is not supportable.
- Dodger Stadium is not comparable because it already includes a dedicated lane for shuttle services to Union Station, the hub for the regional transit/rail service. Dodger Stadium includes all the infrastructure proposed by IBEC, and more, and is still not achieving the 10% rail mode split assumed in the original application. In fact, with all of the transit advantages of Union Station and the direct connection to Dodger Stadium, it achieves the same rail mode split as is assumed in the Supplemental Materials for the IBEC, which is not a reasonable assumption.
- Chase Center (Golden State Warriors) and Oracle Park (San Francisco Giants) are venues adjacent to each other and would be expected to have the same splits. IBEC and STAPLES Center do not have this same relationship.
- The L.A. Coliseum and Levi Stadium (San Francisco 49ers) both have rail stations immediately adjacent to the venues and both have limited and expensive parking. Neither venue forces patrons onto a shuttle bus ride to complete rail transit trips. The Clippers fail to state the number of parking spaces that will be provided at the IBEC.
- L.A. Stadium and Hollywood Park cannot be used as comparison examples because they are the comparison of an assumption to an assumption. Neither is built. This is not proof of concept. The 10% rail assumed for the L.A. Stadium has not been proven.
- The comparison to the Envision Inglewood Transit Connector is a comparison to another unattainable and unproven assumption and does not make the revised IBEC assumption "conservatively low." The Envision Inglewood Transit Connector is not built.
- Hollywood Bowl is not currently achieving a 35% charter coach mode split. Recent studies are between 20-27% on nights with events that are heavily oriented towards season ticket holders. These events at the Hollywood Bowl are season ticket events with repeat patrons (similar to IBEC's basketball games), but during "lease events" (single-event concerts), the park-and-ride demand is so low that the charters bus service is not even offered (see below for discussion of split differences between sports events and concert events).

No major venue located more than 1.25 miles from the nearest rail station has been shown to achieve a 10% (or even a 7%) rail mode split. Only Dodger Stadium comes close to the estimated level of transit usage and this service has far superior rail transit service and reserved bus lane connections not comparable to the IBEC site.

IBEC would be the only venue in the State to meet these assumed transit goals and yet, based on these unattainable goals, the Clippers are asking for the Air Resource Board and the Office of Planning and Research to sign-off that they are meeting the requirements of AB 987.

#### **D. BASKETBALL GAMES DO NOT HAVE THE SAME TRAVEL PATTERNS AS CONCERTS**

The Supplemental Materials continue to equate sports events with concert events in terms of ridership mode splits, relying on the same travel patterns for dissimilar events even though the patron activity is markedly different.

- Sports events and concert events have different arrival patterns
- Sports events draw a high percentage of repeat patrons
- Concert events draw a high percentage of new patrons

Large event basketball games and concerts will not have the same transit mode split characteristics. The Supplemental Materials admit that Oakland A's used different split assumptions (page 13) for each event type, but then continued to use the same splits for each event type at IBEC.

This basic flaw in assumptions will cause very different traffic patterns for the two types of large events. Basketball attendees are much more likely to be repeat customers and, therefore, much more likely to use transit and the TDM program (albeit not at the inflated levels suggested in the IBEC assumptions). Concertgoers will be first-time or infrequent attendees and much less likely to use transit or the TDM program. These large concert events should have been tested at the smaller event travel assumptions.

No data is presented to justify the claim that the same mode split assumptions are reasonable and attainable for concerts and sports events at the venue.

#### **E. THE SUPPLEMENTAL MATERIALS INCLUDE CONTRADICTION OR FALSE INFORMATION**

To establish the credibility of assumptions and technical calculations, it is important that the discussion and qualitative summaries do not conflict within the same document. When talking points are contradicted, conclusions become suspect, particularly when the analyses are performed inside a black box.

##### **E1. Rideshare Component Is Stated as Both Important and Not Important**

- Report states rideshare trips are not encouraged (page 13, 7c)



- Project includes new incentives for rideshare (Attachment 1, page 1)
- Rideshares increase traffic and should not be included as a TDM
- The report downplays dependence on a trip-duplicator (rideshares), but analysis encourages use by providing incentives and dedicated areas

The Supplemental Materials state, "The IBEC TDM Program does not actively encourage TNC use, and only aims to allocate sufficient TNC staging areas appropriate to the popularity of that transportation mode." This is directly contradicted by the new text in the TDM program (TDM 3 – Encourage Carpools and Zero Emission Vehicles) where the Applicant is modifying language to offer discounted TNC rides to attendees. Increasing rideshares increases traffic (doubles each trip) and is detrimental to the TDM goals. By increasing the number of rideshare trips, the traffic volumes to/from the venue will increase. If the 15% reduction in trip is still to be attained, even higher percentages of alternative travel modes would be required to meet reduction strategies – just the opposite of the new assumptions made in the Supplemental Materials.

## **E2. Transit Trip Percentage**

Page 14 of the Supplemental Submittal reports that a survey in the 2018-19 season found that the transit mode split has already decreased to 9% at STAPLES Center (down from 13%). Yet the revised assumptions for the IBEC rail mode split applies an 8% mode split pattern from the STAPLES Center even though the proximity to transit is significantly different and the IBEC requires that the rail trip be completed by a shuttle bus trip, or a minimum "two-seat ride" on highly congested streets with extended travel times, which depreciates the patron experience. Having to transfer twice does not justify a mode split that is 1% less than STAPLES Center.

## **E3. Description of Rail Quality of Service**

The report states that the last one - two miles of travel does not "exponentially increase transit access and convenience" for venue patrons. However, a shuttle service along congested streets would do exactly that.

The response suggests giving priority to shuttles by using traffic control officers, turn restrictions, channelizing traffic, and providing temporary transit-only lanes. Transit-only lanes along Century Boulevard and along Prairie Avenue would eliminate 33% of the transportation capacity to accommodate 2.5% of the patrons arriving from each the three stations. This is seemingly not a good trade-off and no mention is made of the impacts on the vast majority of the patrons arriving by automobile.

## **F. VMT IS NOT DISCUSSED OR ANALYZED**

Senate Bill 743 would allow Inglewood to analyze only VMT in connection with this new arena. While we continue to believe that analyzing only VMT will not show the real impacts that the arena will have on the surrounding street network or nearby freeways, the Supplemental

Materials completely ignore VMT. It also ignores the fact that previous submittals showed VMT is expected to increase due to the IBEC.

## CONCLUSIONS

The IBEC would be added to a street system that is already congested and will become more congested with the new NFL stadium and related development. Unless Inglewood analyzes congestion caused with the addition of the new arena, tests the real requirements and realistic targets for a TDM program for the IBEC, and implements mitigation to reduce significant impacts, the surrounding street system and nearby freeways are at risk of failure.

The proposed IBEC is being added to a street system that serves five major venues (The Forum, Hollywood Park, NFL stadium, a 6,000-seat event center, and the large mixed-use development) and, thus far, there is no data showing that the IBEC could be accommodated by the three surface streets that serve all of these area venues.

The information presented in the Supplemental Materials reduce the TDM Program's effectiveness, increases project trips by 10%, and yet still claims that the target of a 15% reduction in project trips can still be met. The Supplemental Materials fail to give one example of a comparable site that comes even close to meeting the unattainable targets of the TDM Program.

There is simply not enough detail to replicate the trip calculations in the Supplemental Materials nor is there enough reality associated with the travel assumptions to allow a decision-maker to support the necessary AB 987 findings.

This Project should be the subject of a full and detailed traffic analysis and the development of a full traffic and parking management plan fully scrutinized by the public.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick A. Gibson".

Patrick A. Gibson, P.E., T.E., PTOE  
President

A handwritten signature in blue ink, appearing to read "Brian Hartshorn".

Brian Hartshorn  
Senior Associate

# Exhibit 3

June 27, 2019

**TECHNICAL MEMORANDUM**

**From: Craig Fajnor, Principal**

**RE: Comments on AB 987 Supplemental Application for the Inglewood Basketball and Event Center ("IBEC")**

The following provides comments on the AB 987 Supplemental Application for the Inglewood Basketball and Event Center dated June 2019, prepared by AECOM ("Supplemental Application").

The Supplemental Application included over 700 pages of information and a complete review was not possible in the short time allowed for comments. However, even based on a limited review, the following overarching technical comments can be made:

- 1) it is not feasible to substantiate the technical analysis of GHG emissions included in the Supplemental Application because there is simply not enough information to follow the methodologies and calculations;
- 2) many of the results presented in the Supplemental Analysis were not clearly supported by technical analysis; and
- 3) the baseline and project information is based heavily on assumptions that stem from the CSL letters that do not reflect robust and accurate input data that can be the basis of an air quality or GHG analysis, regardless of whether CalEEMod is used to generate modeling results.

Specific comments are provided below.

**A. Staples Center Vacated Events Days Analysis (Attachment 3, Exhibit 1)**

AECOM's analysis and baseline assumptions rely on the CSL letter in Attachment 3, Exhibit 1. As a general rule, air quality and GHG modeling is only as robust and accurate as the input data. If the input data and assumptions are not well supported, the results will not be technically sound regardless of whether the correct modeling tools are applied. As a result, standard air quality modeling follows strict protocols to ensure the validity or accuracy of input assumptions to the extent reasonable based on historical information and agency-vetted information. For example, a robust air quality and GHG analysis will rely on agency-vetted emission factors and land use assumptions. While AECOM relied on such information for the basic CalEEMod modeling runs, the baseline and project information is based heavily on assumptions that stem from the CSL letter. As the authors of the CSL letter acknowledge, the information in the letter was "not audited or verified" and the letter "should not be relied upon" regarding "the achievability of any projected information contained herein," meaning it should not form the basis of a rigorous scientific estimate of air quality or GHG emissions. By relying on the CSL letter and its unsupported results, AECOM's baseline assumptions, project analysis, and the overall results are not technically sound.

**B. Additional Comments**

**1) *Response to Reply 1 on page 2 of AECOM letter (the AECOM letter provides a response on the GHG baseline approach).***

The reply provided by AECOM does not adequately address the concerns as expressed in our February 1, 2019 technical memorandum regarding the baseline and project emissions inventory. The revised analysis still appears to reduce the Project's commitment to GHG reductions through unsubstantiated conclusions. The approach employed in this revised analysis substantially departs from current standard CEQA approach to evaluate GHG emissions. For almost all land use development projects, the applicant could make similar arguments as the AECOM analysis that emissions should be in the "baseline" and therefore not attributed to the project because the emissions are simply being "moved" or "shifted" within the region as a result of the land use development. If CARB allows this technical approach, other CEQA consultants may follow the approach in AECOM's analysis.

**2) *The Revised Application AB 987 (Exhibits to Supplemental AB 987) includes "Total Backfilled Emissions" for Clippers event days and the operation of organization office to the Proposed IBEC Project emissions.***

AECOM addressed the comments about backfilled emissions associated with the reused Clippers events at Staples Center and Clippers Office space, and incorporated them in the project indirect emissions (Attachment 3, Table 7a and Appendix A). While AECOM states that the results from the CSL letter (Attachment 3, Exhibit 1) were used to estimate backfilled emissions from vacated Clippers events at Staples, AECOM did not provide sufficient documentation to allow a peer review and verify that these assumptions were properly implemented in the emission inventory.

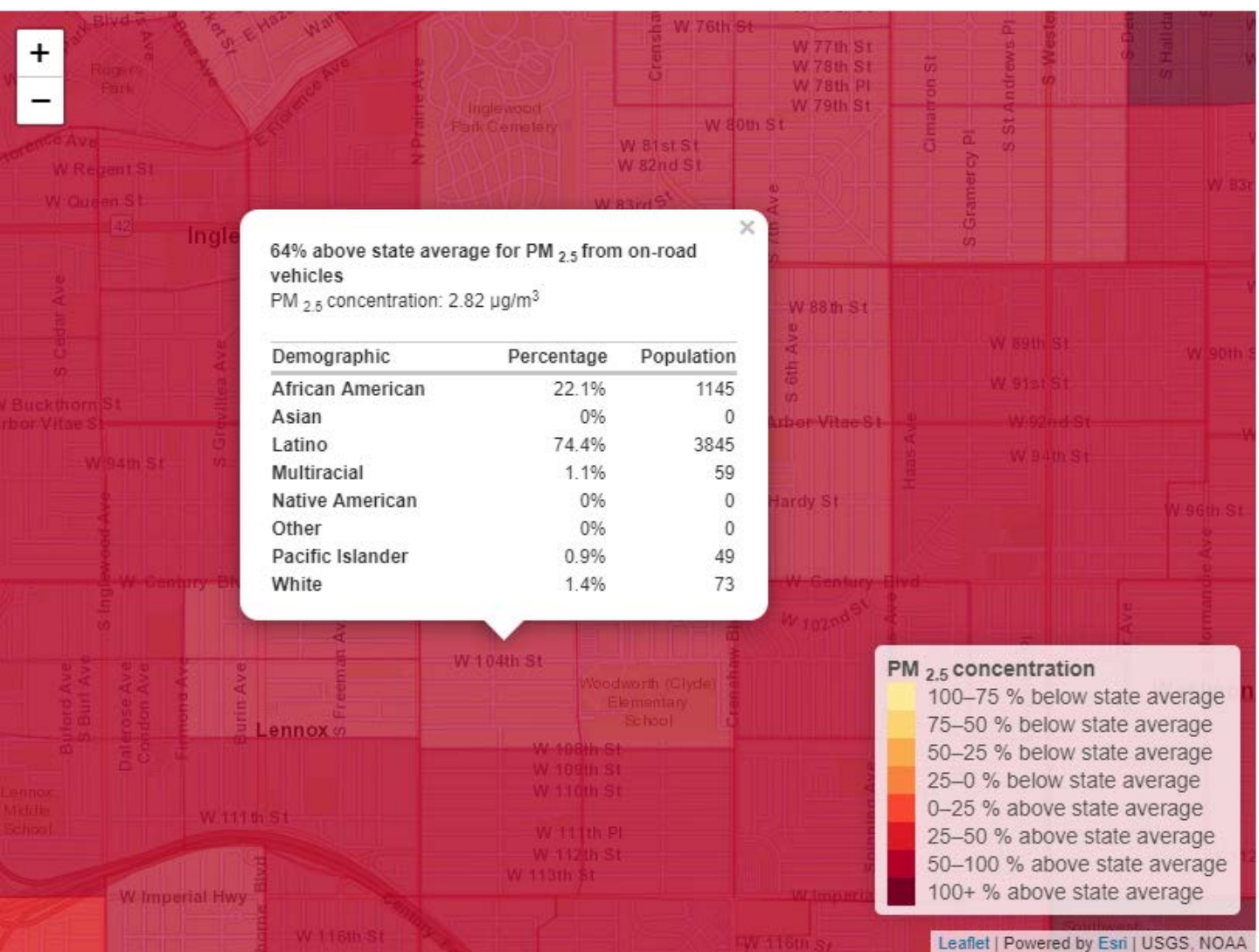
**3) *AECOM's response states that "...analysis is included in this submittal as Exhibit 1 to Attachment 3, IBEC Project GHG Analysis Supplemental Technical Memorandum and reflected in the revised calculations of IBEC Project GHG emissions to incorporate CSL's refined assumption that 59% of the major non-NBA events at IBEC would be market-shifted, and 41% would be net new to the market (i.e., would not otherwise occur in the Los Angeles regional market absent construction of the IBEC Project)."***

Despite our technical review of the information provided by AECOM and CSL, it is not clear how the 59% of the major non-NBA events are incorporated as a part of the Proposed Project's emissions inventory. For example, within Attachment 3, Appendix A, there are various calculation tables. Under the baseline emission tables, there is a table that indicates market shifted events. However, there is no explanation nor is it clear from the buildup of those tables how the CSL 59% value is incorporated into the analysis.

Overall, the calculation tables do not provide enough connectivity for another skilled person to be able to reproduce and confidently confirm the emission calculations presented. Nor is one able to verify how the CSL letter information was relied upon.



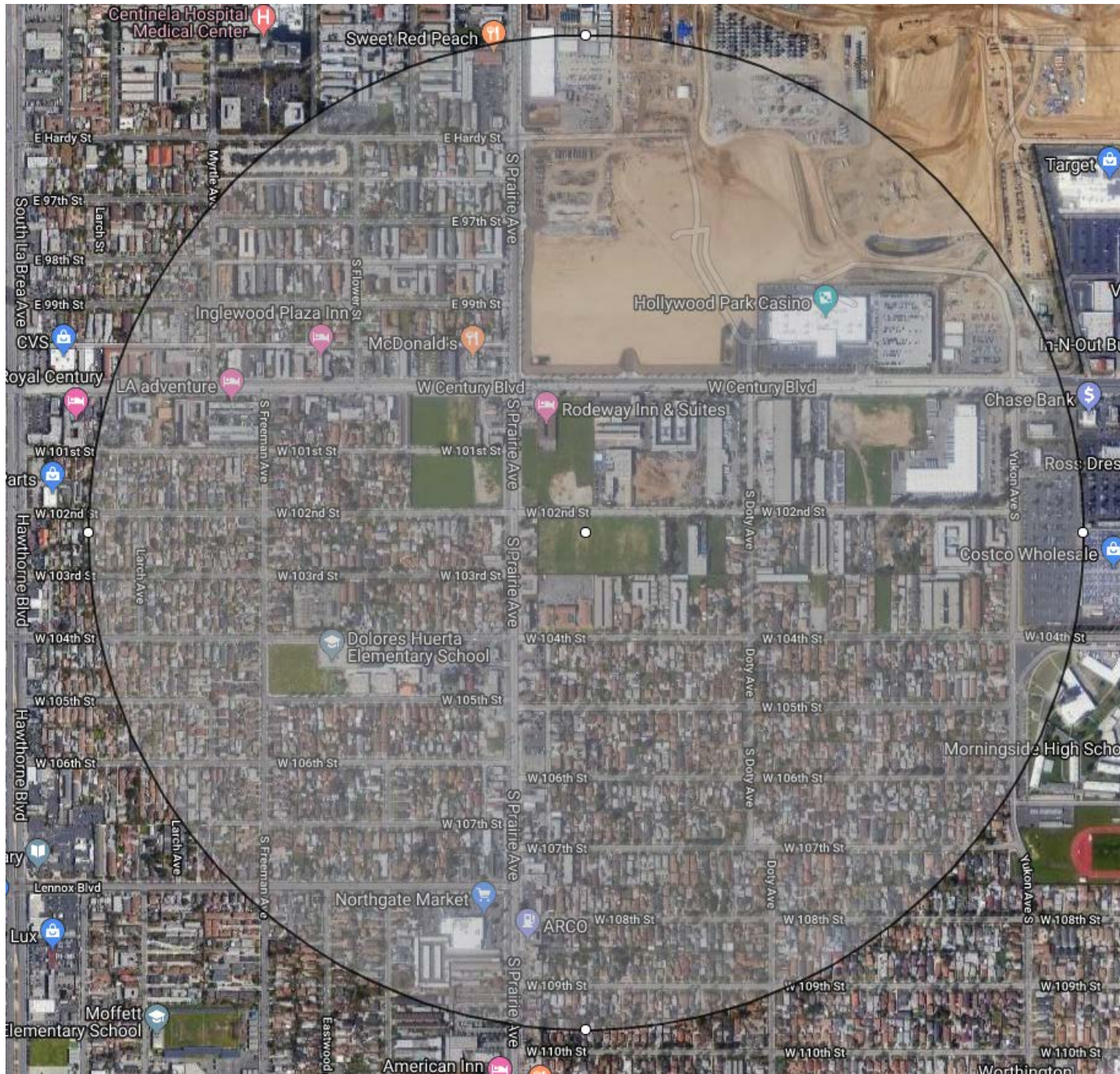
# Exhibit 4



<https://www.ucsusa.org/clean-vehicles/electric-vehicles/CA-air-quality-equity>

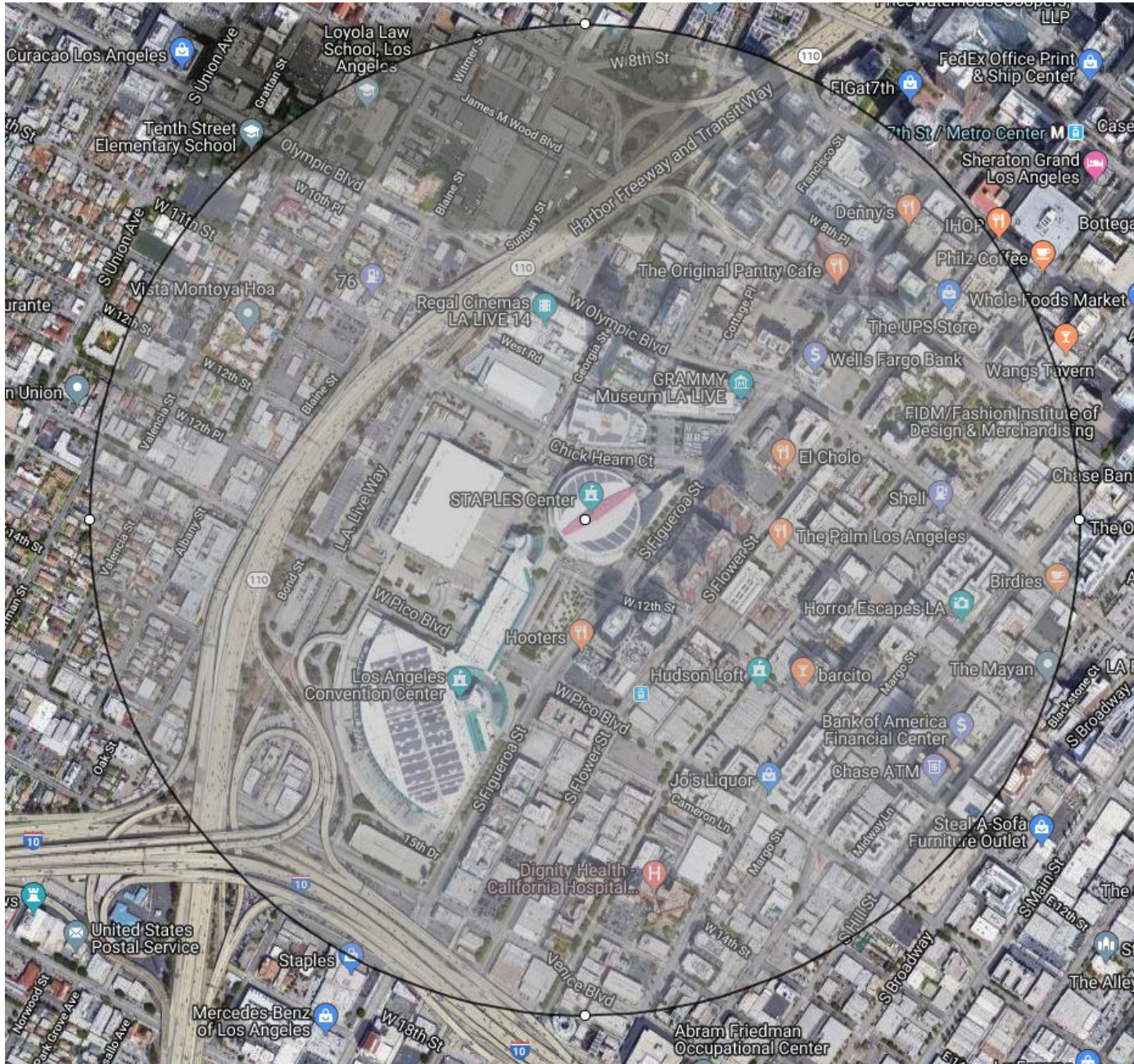
# Exhibit 5

# IBEC Project Site Inglewood, CA



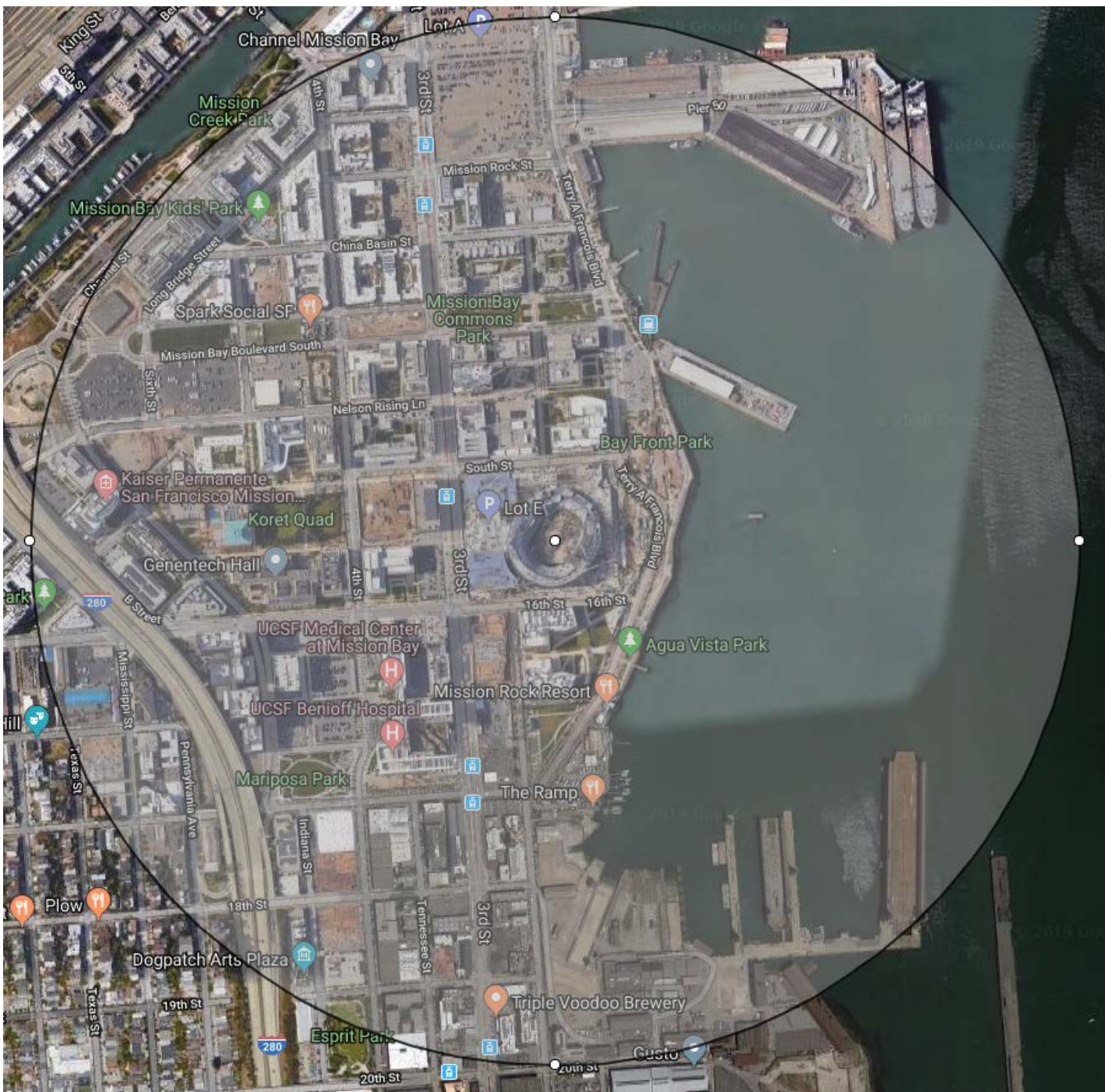


# Staples Center Los Angeles, CA





# Chase Center San Francisco, CA



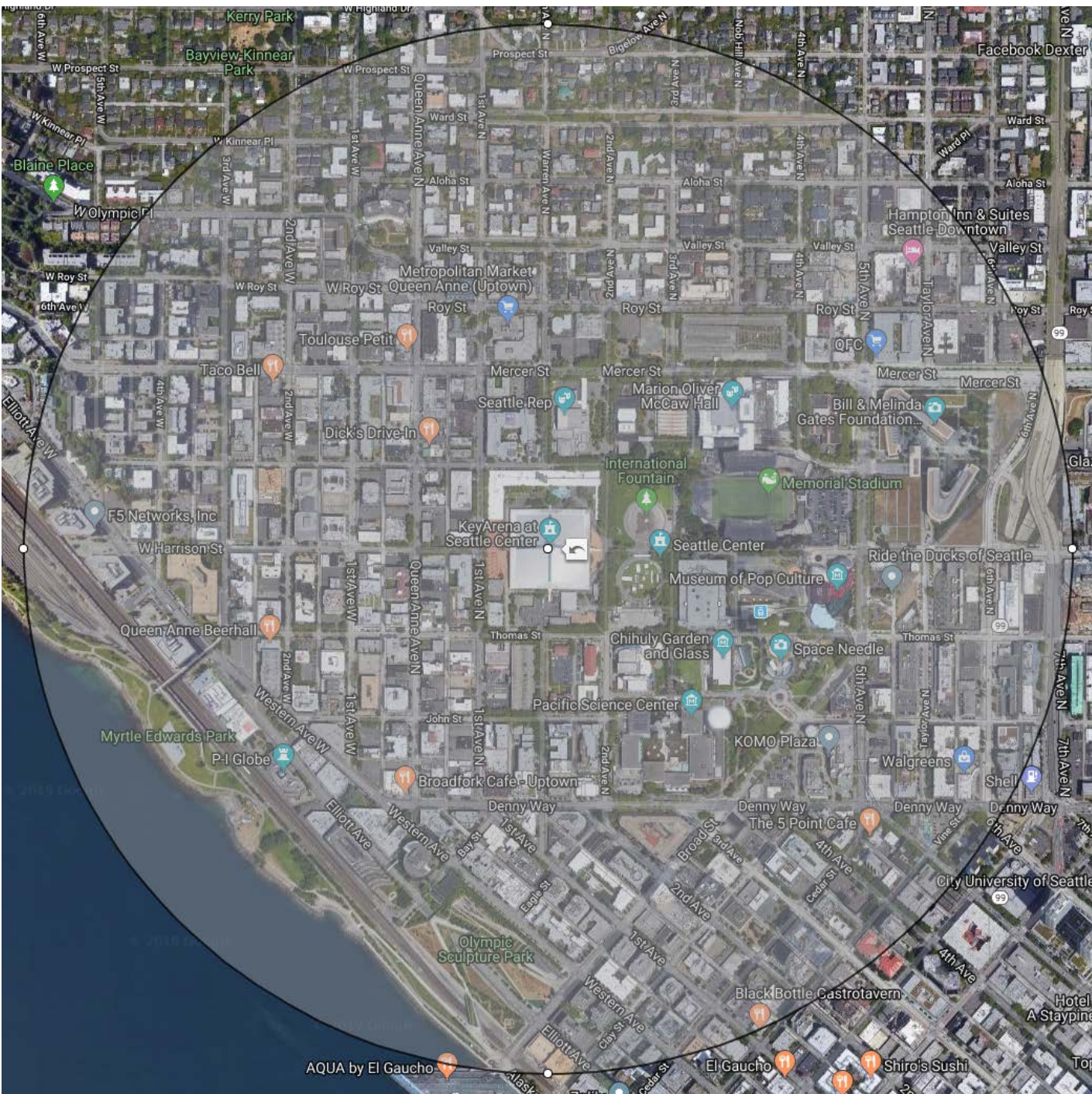


## An aerial photograph of downtown Sacramento, California, with a circular black boundary overlaid. The map shows a grid of streets including Front St, 2nd St, 3rd St, 4th St, 5th St, 6th St, 7th St, 8th St, 9th St, 10th St, 11th St, 12th St, 13th St, and 14th St. Major landmarks and buildings are labeled, such as the California State Railroad Museum, C.M.&amp;T. Co. Building, Old Sacramento Waterfront District, Holiday Inn Sacramento Downtown - Arena, Rio City Cafe, Embassy Suites by Hilton Sacramento, Wells Fargo Museum, Crocker Park, Crocker Art Museum, CalPERS, California's First Passenger Railroad, Golden 1 Center, DOCO Downtown Commons, Macy's, Sacramento Valley, Pony Express Statue, Sacramento County Main Jail, Sacramento County Clerk Recorder, Gordon D. Schaber Sacramento County..., Sacramento City Hall, Cesar Chavez Plaza, Bench Art Supply Galleries, Temple Coffee Roasters, Jazz Alley, Cathedral of the Blessed Sacrament, Capitol Garage (10th &amp; L), California State Capitol Museum, Leland Stanford Mansion State Historic Park, California Museum, Franklin D. Roosevelt Park, and J. Neely Johnson Park. The Sacramento River is visible on the left side, and the West Side Hwy is labeled. A circular black boundary is drawn around the central part of the map, encompassing most of the labeled landmarks.



# Seattle Center Arena

## Seattle, WA





# Exhibit 6

# L.A. is hemorrhaging bus riders — worsening traffic and hurting climate goals

By LAURA J. NELSON  
JUN 27, 2019 | 3:00 AM



Yurithza Esparza's journey from Boyle Heights to Cal State Northridge involves three buses and a train. (Genaro Molina / Los Angeles Times)

To be on time for her 9 a.m. class at Cal State Northridge, Yurithza Esparza has learned the hard way that she needs to be at the bus stop no later than 6 a.m.

She would prefer to drive the 30 miles from her home in Boyle Heights, but the car she saved to buy was totaled when another driver ran a red light. So she is back on public transit, taking three buses and a train to get to school.

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“Driving here is a pain because of the traffic, but it’s still more convenient,” said Esparza, 23, who can spend five hours a day commuting. “On the bus, I just can’t get from Point A to Point B whenever I need to go. I hate it.”

Over the last decade, both Los Angeles County’s sprawling Metro system and smaller lines have hemorrhaged bus riders as passengers have fled for more convenient options — mostly, driving.

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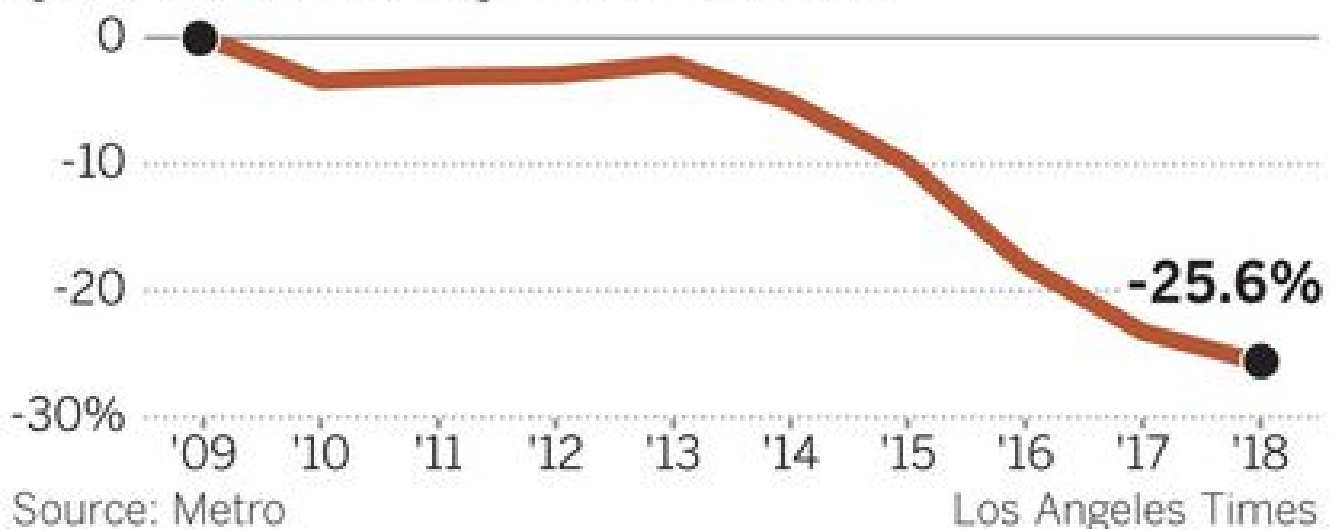
Southern Californians are capitalizing on a stronger economy by buying cars in record numbers, experts say. They also point to half a dozen other factors putting pressure on bus systems, including falling immigration rates, rising rents that have pushed low-income families to more remote areas, and a law that allows immigrants in the country illegally to apply for driver licenses.

Dropping ridership follows years of complaints about bus routes that are rarely as fast or reliable as driving and often require long waits, multiple transfers and delays in rush-hour traffic. More recently, a surge in the region's homeless population has sparked concerns about safety and sanitation.

Ridership has fallen on almost all local bus systems, including routes in Santa Monica, the San Gabriel Valley, the Antelope Valley and Orange County, mirroring a national slump in bus ridership.

## L.A. Metro riders ditching the bus

Since 2009, trips on the West Coast's largest bus system have fallen by more than 25%



(Los Angeles Times)

Metropolitan Transportation Authority buses, which carry most of the county's bus riders, have lost nearly 95 million trips over a decade, according to federal data. The 25% drop is the steepest among the busiest transit systems in the United States and accounted for the majority of California's transit ridership decline.

The bus exodus poses a serious threat to California's ambitious climate and transportation goals. Reducing traffic congestion and greenhouse gas emissions will be next to impossible, experts say, unless more people start taking public transit.

Now, transportation officials and advocates are puzzling over how to transform the humble bus into something more than a last resort.

That will require attracting some of the 14 million Southern California residents who rarely, if ever, set foot on a bus or train. Fewer than 3% of residents take more than 25% of the region's transit trips. The vast majority of riders are Latino or black, studies show, with no access to a car and little time to lobby for better service.

"We have neglected buses in Los Angeles for a long time," said Jessica Meaney, the executive director of the non-profit organization Investing in Place. "We've lived with subpar service for so long that it's hard for people to rally around improving it."

## Improving Metro's market share

To reverse the slump, Metro is preparing to redesign its network of 165 lines and 14,000 stops for the first time in a generation. A study launched two years ago is examining where people go and what can be done to make the bus more competitive with driving.

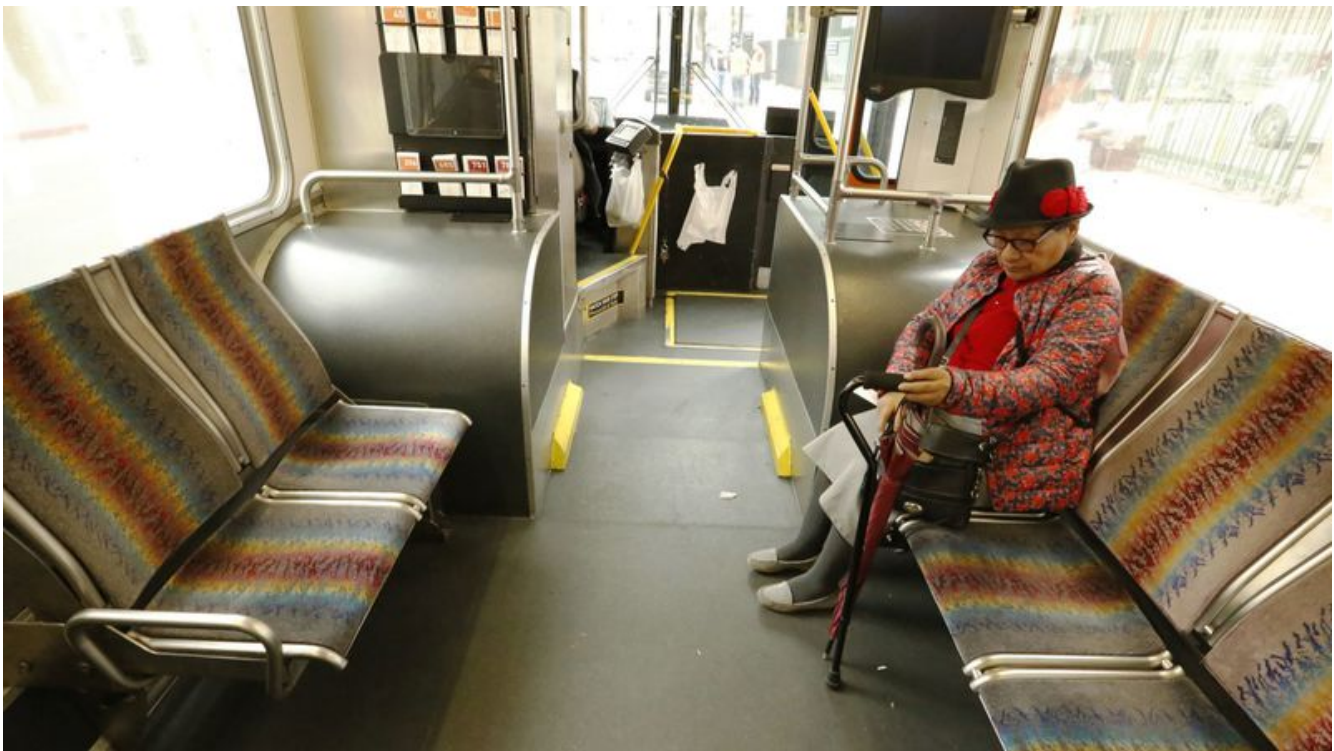
The analysis is based on data from 5 million phones, tablets and other devices showing where residents, tourists and business travelers go and whether the bus or

train can get them there. In the vast majority of cases, Metro could, said Conan Cheung, a senior executive officer overseeing the study.

How long it would take is another question. When taking the train or bus was as fast or faster than driving, people took transit 13% of the time. Metro's market share falls off sharply from there.

“Having a good basic service is critical, and that service has to be run well,” Cheung said. “If it's not on time, if we don't have priority, or if we can't speed up our service in relation to driving, then it's going to be difficult to capture new riders.”

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A quarter of the region's transit trips are made by fewer than 3% of residents, many of whom have no access to a car. (Al Seib / Los

Angeles Times)

It will also be difficult to keep current ones. Last year, UCLA researchers found that Southern California families have scrimped and saved to put even modest pay increases toward cars, aided by the rise of low- and zero-interest auto loans. From 2000 to 2015, the share of households that had no access to a car fell 30%. In immigrant households, it fell 42%.

Soon, that will include Maria Sanchez, 52, who rides the Metro Line 16 bus to reach the homes she cleans in Beverly Grove.

When her family lived in Westlake, her commute was easier. Rising rents pushed them to El Monte. Now, she spends more than three hours a day on the bus.

“Every day is long,” Sanchez said, as the bus crawled down 3rd Street in rush-hour traffic. She was recently hired to clean another home, she said, and she and her husband are saving the extra income for a car.

Experts have urged Metro to focus on improving a dozen workhorse bus lines that have accounted for more than one-third of its ridership losses this decade. Those lines have shed nearly 30 million trips along major corridors, including Sunset and Wilshire boulevards, and Western and Vermont avenues.

Trips on the Line 66 bus, which Esparza rides from Boyle Heights to downtown on the first leg of her journey to CSUN, have fallen by half. Some passengers have shifted to the Gold Line, which opened to Boyle Heights in 2009. Others have left transit altogether.

Erick Huerta got around L.A. for three decades on the bus and his bicycle. When he took a job at a nonprofit in South L.A. four years ago, he tried for months to find a reliable, predictable way to get from Boyle Heights without driving — but often wound up waiting for half an hour or more in the sun, or arriving at work sweaty and late.

He and his girlfriend eventually pooled their money and bought a used Saturn SUV from a friend. The purchase, he said, “has been completely worth it.”

“Metro has this laser focus on getting people who grew up with cars, or who are regular drivers, to take public transportation,” Huerta said. “They should start with continually supporting the folks who rely on it.”

## Buses sit in traffic, and traffic is getting worse

The average speed of a Metro bus has dropped 12.5% over the last 25 years, according to data analyzed by UCLA. The delays are worse on major corridors, including Vermont, which has at least 10 hours of severe congestion per day and an average local bus speed of 9 mph.

The only lasting solution, advocates say, is to carve out space for buses on major streets using bus-only lanes and bus rapid transit.

Bus rapid transit — such as the Orange Line in the Valley — works much like rail, with platforms, dedicated right-of-way and frequent service. But it costs far less to build. Revenue from Measure M, the sales tax increase voters approved in 2016, is funding four of the projects over the next 40 years, including on Vermont.

A bus lane is just paint on the street, but can still achieve major speed improvements. A temporary 1.8-mile bus lane on Flower Street in downtown, put



in place during closures on the Blue and Expo lines, is expected to save riders 7 to 9 minutes per trip, Metro officials said.

“You can see the bus zoom by traffic,” Meaney said. “That really resonates with people. Whatever you give priority to, people will pick that.”

Bus lanes come at a cost for drivers: a loss of parking, a loss of driving space, or both. Earlier this year, Los Angeles Mayor Eric Garcetti joked that bus lanes are only “slightly less controversial than congestion pricing, once your street gets announced.”

A meeting last week in Eagle Rock on a rapid bus lane between North Hollywood and Pasadena erupted in shouting. A Metro hearing on a similar project drew more than a dozen Valley homeowners who said the bus line would destroy their property values.

Advocates have also urged an expansion of “all-door boarding,” which allows riders to enter through any door on two of Metro’s busiest rapid bus routes on Wilshire and Vermont.

The strategy could reduce wait times by 42 seconds when 30 people board at one stop, a Metro analysis found. The strategy could make sense on other busy lines, Cheung said, but he said he could not yet say whether it would be expanded.



People wait to board a bus in downtown Los Angeles. One proposal to speed up buses is all-door boarding. (Kent Nishimura / Los Angeles Times)

## Riders to Metro: Just run more buses

Julia Griswold's worst days used to start with a Metro bus that pulled away from the stop just before she arrived, or blew past without stopping. Once she boarded, sweaty and stressed, she would fret about being fired from temp jobs and think, "I don't have money, so I don't matter. No one cares if I get to work on time."

Last summer, Griswold bought a used Chevy Spark for \$9,000. The purchase was worth it, she said, but without a full-time job, she would not have been able to afford it.

For everyone who can't, she said, Metro needs to run buses frequently enough to eliminate "the humiliation of running as fast as you can to catch a bus, and watching it pull away as you're gasping and sweating."

"It should matter that thousands of people a day can get where they're going easily," she said. "If the bus is only coming every 48 minutes, you're really screwed. But chances are, you're really screwed if you're relying on that bus anyway."

Over a decade, the number of hours that Metro buses spent on the street fell 10%, mostly during the Great Recession. Scheduled service hours fell from nearly 7.78 million in the 2008 fiscal year to 7 million in 2018, according to budget documents.

Rail service hours nearly doubled over the same time period, to 1.25 million hours, as new lines opened to East Los Angeles, Azusa and Santa Monica.

The new Measure M sales tax is expected to raise more than \$160 million annually for transit operations. Metro should use those funds to improve frequency and lower fares, as it did during periods of high ridership in the mid-1980s, said Denny Zane, the executive director of the transit advocacy group Move L.A.

“The spending suggests the agency has been captured by the excitement over rail,” Zane said. “But we can’t lose sight of people who need transit service now. Metro can afford to do both.”

Cheung said Metro is considering more frequent service on routes that are conducive to trips of less than two miles. Those trips — to a daycare, a laundromat, or a grocery store — represent 46% of the county’s travel, but just 2% are taken on transit, he said. Most are made outside rush hour, in the afternoon or evenings, when buses run less frequently.

Metro could see an additional 500,000 trips per day if its share of short trips tripled to 6%, more than enough to make up for recent ridership declines, Cheung said.

But it would require running buses frequently enough that riding would be faster and easier than walking, biking or driving. Metro is considering designing bus routes that stop more often within major commercial and residential centers, and stop less often outside those areas.

Though Los Angeles voters have agreed to raise sales taxes twice in 10 years to pay for more transit, few ride the bus or train themselves — which, transportation experts ruefully note, sounds like an excerpt from a now-infamous headline in the Onion: “Report: 98 Percent Of U.S. Commuters Favor Public Transportation For Others.”

And shifting those habits will be a challenge. When someone buys a car, they become less likely to take transit and more likely to drive, studies show. Non-car owners now have more alternatives than ever, including Uber and Lyft, car-sharing services like Zipcar, and rental bikes and scooters.

Although Esparza, the CSUN student, is taking transit again, she isn't boarding as many buses. The final leg of her journey in the Valley is a local bus that runs twice an hour. If she misses it, her trip could be an hour longer. Now, she's more likely to call an Uber.

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